



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

May 6, 2008

MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA, VA 22182-3817
US

Dear Sir/Madam,

Your refund request for 10673340 in the amount of \$664.00 has been denied .

Notice Regarding Request for Refund of Excess Claims Fees

The Office published a final rule notice to provide that an applicant may request a refund of excess claims fees under 37 CFR 1.117. However, the United States District Court for the Eastern District Court of Virginia issued a decision on April 1, 2008, enjoining the USPTO from implementing the changes in the final rule notice. Therefore, the USPTO currently does not have the authority to act on any request for a refund of excess claims fees for canceled claims under 37 CFR 1.117 and provide any such refund.

Sincerely,


Cynthia Streater
Technical Center Others
703 308-9010 x178

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YOR.468

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Yiming Ye, et al.

Serial No.: 10/673,340

Group Art Unit: 2121

Filing Date: September 30, 2003

Examiner: Ronald D. Hartman, Jr.

For: ENTERPRISE SYSTEM HAVING A SMART DISTANCE AMONG ARTIFACTS,
AND APPARATUS AND METHOD FOR PROVIDING THE DISTANCE AMONG
THE ARTIFACTS

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

ATTENTION: FINANCE DIVISION

REQUEST FOR REFUND

Sir:

Applicants note that an Excess Claim Fee in the amount of \$664.00 was filed for this application on September 30, 2003. However, on March 31, 2008, Applicants filed a Preliminary Amendment which cancelled all of the claims except for one. Therefore, the Excess Claim Fee of \$664.00 should be refunded.

Therefore, Applicants respectfully request that the amount of \$664.00 be refunded to Assignee's Deposit Account No. 50-0510. Please credit any overpayment of fees to Assignee's Deposit Account No. 50-0510.

Respectfully submitted,



Phillip E. Miller
Registration No. 46,060

Date: 4/10/08
McGinn IP Law Group, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, Virginia 22182-3817
(703) 761-4100
Customer No. 48150